

Forty-ninth Legislature
First Regular Session

COMMITTEE ON NATURAL RESOURCES AND RURAL AFFAIRS

HOUSE OF REPRESENTATIVES AMENDMENTS TO HCR 2030

(Reference to printed concurrent resolution bill)

1 Page 1, line 1, before "Be" insert:

2 "Whereas, the Federal Clean Water Act of 1972 sets water quality
3 standards and requires federal permits for certain actions that can affect
4 the water quality of rivers, streams and other surface waters designated as
5 waters of the United States; and

6 Whereas, federal law affects primarily water in lakes, ponds, rivers
7 and streams, but not all isolated water bodies or some normally dry washes
8 and arroyos; and

9 Whereas, since 1975, the State of Arizona has declared jurisdiction
10 over all waters of the state, including ephemeral and intermittent
11 watercourses; and

12 Whereas, the State of Arizona is successfully operating the federal
13 Point Source Discharge Program delegated to it from the Environmental
14 Protection Agency for waters of the United States within Arizona; and

15 Whereas, Arizona already has declared jurisdiction over any other water
16 body in Arizona but has not needed to expand the federal permit program for
17 that purpose; and

18 Whereas, the United States Supreme Court has confirmed the distinction
19 between federal and state jurisdiction that Arizona recognized in 1975 in
20 opinions rendered in 2001 and 2006; and

21 Whereas, federal legislation is being proposed that would emasculate
22 the role of the states in administering this program and force federal
23 permitting that experience has shown is not necessary; and

24 Whereas, legislation has been proposed in the last Congress and will be
25 reintroduced in the 111th Congress to emasculate the Supreme Court decisions
26 and force the states to expand, at considerable cost, the federal Point
27 Source Discharge Program.

House Amendments to HCR 2030

1 Therefore"

2 Page 1, strike lines 3 through 45

3 Strike pages 2 through 7, insert:

4 "That the Members of the Legislature oppose the unnecessary and
5 immensely costly expansion of the federal Point Source Discharge Program as
6 current legislation proposes, and oppose any legislation that would result in
7 the expansion of federal jurisdiction and emasculation of the states'
8 jurisdiction."

9 Amend title to conform

and, as so amended, it do pass

RUSSELL L. JONES
Vice-Chairman

hcr2030-se-nrra

3/2/09

H:jjb